

EXHIBIT LRP2003-00004 and G030013M:E

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE,
THE LAND USE ORDINANCE, CHAPTER 22.110 RELATING TO THE SHANDON-
CARRIZO PLANNING AREA AND THE SHANDON URBAN AREA

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 22.110.010 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

22.110.010 - Purpose and Applicability

This Chapter provides standards for proposed development and new land uses that are specific to the Shandon-Carrizo planning area defined by the Land Use Element. These standards apply to proposed development and new land uses as provided by Section 22.90.020 (Applicability), and are organized according to the specific areas and/or land use categories within the planning area to which they apply.

The Shandon Community Plan and any future amendments to such plan, are hereby incorporated into the Shandon-Carrizo Area Plan by reference as though it were fully set forth here.

SECTION 2: Section 22.110 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding new section 22.110.020 as follows and renumbering existing sections 22.110.020, 030, 040 and 050 to 22.110.030, 040, 050, and 060.

22.110.020 - Combining Designations

The following standards apply within the applicable combining designations. These standards apply in the rural, urban and village areas, so they are not repeated in later Sections of this Chapter.

- A. Flood Hazard (FH).** New development within the 100-year floodplain inside the master plan areas as shown on Figure 110-1 is prohibited, unless the use is exempt from the FH standards in Chapter 22.14 or there are no feasible alternative building sites on the property.

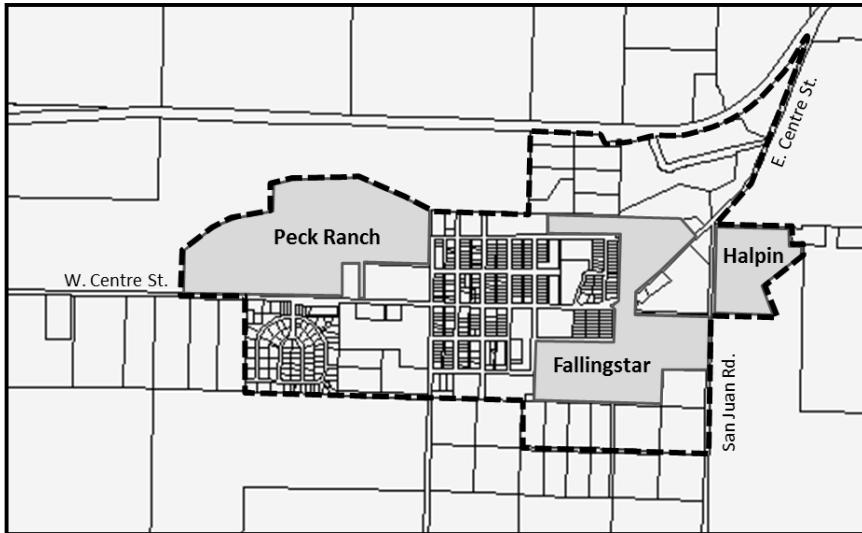


Figure 110-1 – Master Plan Areas

B. Sensitive Resource Area (SRA) - The following standards apply within the Sensitive Resource Area combining designation.

1. **Off-Road Vehicles.** Off-road vehicles are prohibited except on designated trails in BLM lands.
2. **Soda Lake SRA.** Resource extraction and new construction is prohibited within the Soda Lake SRA.
3. **BLM Wilderness Study Areas.** New development within BLM wilderness study areas is allowed only in accordance with the Federal Land Policy and Management Act of 1976.
4. **Shandon Vicinity Creek and Habitat Areas SRA.** The following standards apply within the Shandon Vicinity Creek and Habitat Areas SRA combining designation within the Shandon Community Plan Study Area as shown on Figure 110-2.

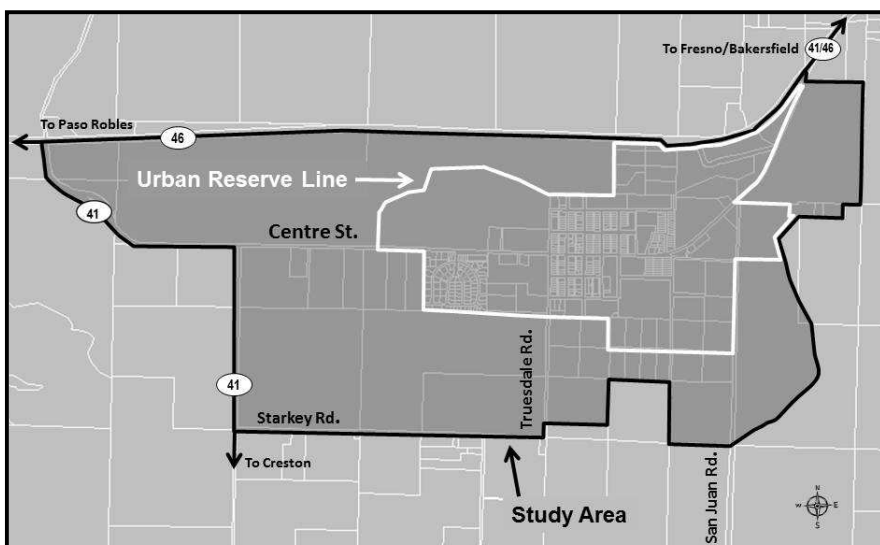


Figure 110-2 – Shandon Community Plan Study Area

- a. Land divisions and discretionary land use permits shall include open space or scenic preservation easements on the portion of the property within the SRA combining designation.
- b. Applications for land use permits and land divisions shall provide proof of an approved jurisdictional determination when the site may contain wetland features, including those identified in Figure 4.4-2 of the Final Environmental Impact Report (EIR) for the Shandon Community Plan Update and San Juan Village (Fallingstar Phase I) Project. New development shall be set back a minimum of 100 feet from the edge of a delineated wetland and riparian habitat. Activities within the setback area shall be limited to fuels reduction for fire safety purposes. New development shall comply with County requirements and the provisions of Appendix D of the Shandon Community Plan relating to biological resources including the following:

(1) **Jurisdictional delineation.** A jurisdictional delineation shall be conducted by a County-approved qualified biologist for all properties that may contain wetland features prior to issuance of land use permits. The jurisdictional delineation shall examine the entire project site and shall determine if features on-site fall under the jurisdiction of the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Game. The result will be a preliminary jurisdictional delineation report which shall be submitted to the appropriate agencies for review and approval, and permits shall be obtained from each agency where applicable. No permits shall be issued until compliance with all applicable federal and state laws has been demonstrated.

(2) **Mitigation of impacts to wetlands and riparian habitat.** All proposed projects shall be designed to avoid impacts to wetlands and riparian habitats. All wetland and riparian habitat and appropriate buffer zones shall be clearly demarcated on-site with highly visible construction fencing to ensure that these areas are not impacted during construction-related activities.

If wetland and/or riparian habitat cannot be avoided, permits shall be obtained from the appropriate regulatory agency: U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Game. Loss of such features shall be mitigated at a ratio to be determined by the permitting agencies, but shall not be less than 1:1 (one acre of habitat created to one acre of habitat lost). Mitigation shall occur on-site. Locally native riparian and wetland species shall be used and removal of native species shall be prohibited; however, select willow cuttings (from the site or within the Study Area) and emergent plant division are permissible. A mitigation plan shall be prepared by a qualified biologist and shall include success criteria, monitoring methods, a monitoring schedule, contingency planning, weed control/management provisions, irrigation methods and schedule, and annual reporting requirements. Created riparian and wetland habitat shall be monitored for a minimum of five years or as otherwise

determined by the permitting agencies. Prior to commencement of grading, a performance bond shall be filed with the County to complete habitat creation and maintain plantings for the duration of the mitigation program.

If mitigation on-site is not feasible, mitigation off-site at a location approved by the permitting agencies shall occur. Alternatively, payment into an in-lieu fee program and/or purchase of credits at an approved mitigation bank may be allowed by the permitting agencies for impacts to wetlands.

- (3) **Plan requirements and timing.** All grading and construction plans shall depict on-site wetland and riparian habitat and appropriate setbacks, and shall be submitted along with applicable permits, a performance bond, and proof of payment into an in-lieu fee program and/or purchase of wetland credits (if applicable) to Planning and Building for approval prior to issuance of land use permits. In addition, prior to issuance of land use permits a letter from the County Fire Department shall be submitted identifying that no riparian vegetation removal is needed for fire safety purposes.
- (4) **Monitoring.** The site shall be inspected by an approved monitor during all phases of construction to ensure compliance with appropriate avoidance and minimization measures.

- c. Uses within the habitat buffer areas along the eastern edge of the community as shown in Figure 110-3 shall be limited to recreational trails, habitat corridors, or other uses that are consistent with Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable HCP.

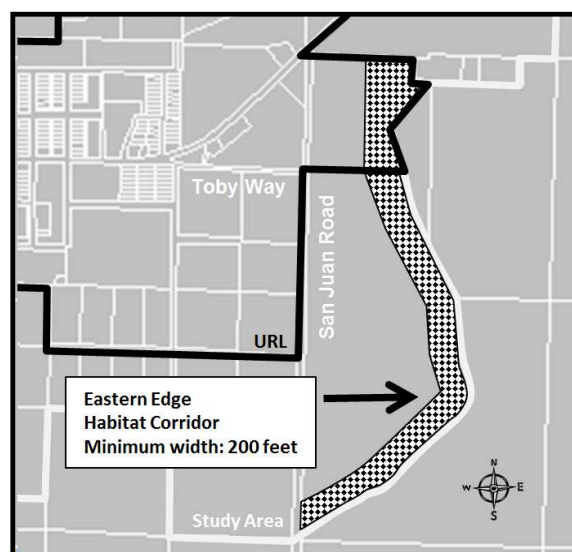


Figure 110-3 - Habitat Buffer Area

SECTION 3: Section 22.110.030 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

22.110.030 - Rural Area Standards

The following standards apply outside of urban and village reserve lines, in the land use categories or specific areas listed.

- A. Agriculture (AG).** The following standard applies to the Shandon wastewater treatment facility site as shown in Figure 110-4.



Figure 110-4 - Shandon Wastewater Treatment Facility Site

1. **Permit required.** Conditional Use Permit approval is required for the development of the Shandon wastewater treatment facility. The Review Authority shall find that the wastewater treatment facility is consistent with the applicable provisions of the Shandon Community Plan. The facility shall be designed with an emphasis on groundwater replenishment. It shall be sited to minimize off-site odor and be adequately screened from public view.
- B. Commercial Retail (CR).** The following standards apply within the Commercial Retail land use category.
 1. **Cholame commercial area defined.** The Cholame commercial area on the west side of Highway 46 is 200 feet wide and 500 feet in length, in the northwest quarter of the southwest quarter of Section 30, Township 25 South, Range 16 East.
 2. **Permit requirement.** Minor Use Permit approval is required for all new uses unless Section 22.06.030 or Article 4 would otherwise require Conditional Use Permit approval

C. **Commercial Service (CS).** The following standards apply within the Commercial Service land use category.

1. **Highway 46 between Shandon and Cholame - Commercial Service area.** The following standards apply to the area located on the northwest side of Highway 46 between Shandon and Cholame, which is 200 feet wide with 390 feet of frontage on Highway 46 extending southwesterly from the intersection of the highway and the easterly line of the northwest quarter of Section 2, Township 26 South, Range 15 East as shown on Figure 110-5.

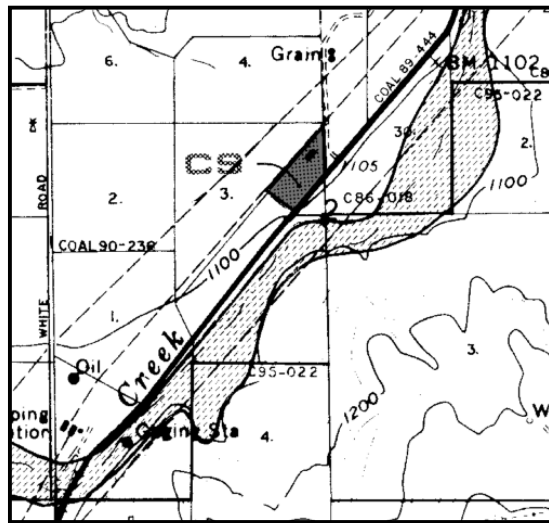


Figure 110-5 - CS – Commercial Service Area

- a. **Limitation on use - service commercial area.** Land uses shall be limited to the following, subject to the land use permit requirements of Section 22.06.030: Metal Industries - Fabricated; Small Scale Manufacturing; Agricultural Processing (excluding wine tasting and special events); Warehousing (no wholesale or retail sales from the site), Caretaker's Quarters and Residential Accessory Uses. All uses are limited to the producing, assembling, manufacturing and storing of goods and products that are for rural or agricultural applications or operations.
- b. **Permit requirement.** Minor Use Permit approval is required for all new or expanded uses, unless a Conditional Use Permit is otherwise required by this Title.

2. **West Centre and Highway 46.** The following standards apply to the property near the intersection of West Centre Street and State Highway 46 as shown in Figure 110-6.

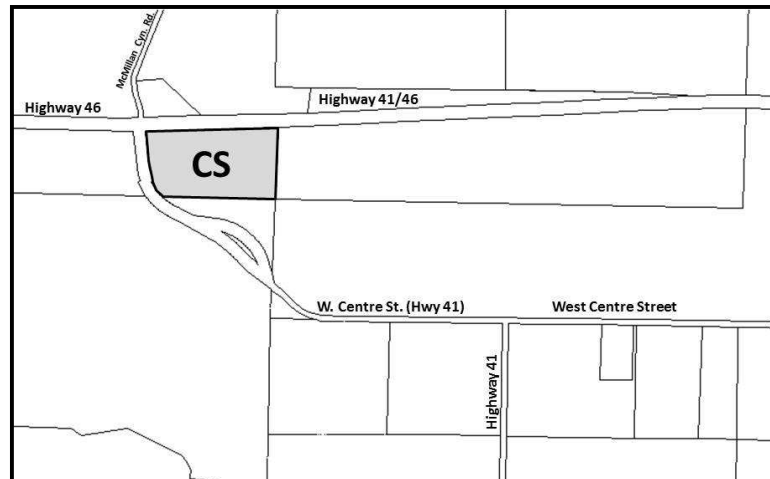


Figure 110-6 - CS - West Centre Street and Highway 46

- a. **Permit requirement.** Conditional Use Permit is required prior to the first entitlement on the site. The Conditional Use Permit shall specify the permit requirements for the full build-out of the site for all new construction. If a separate entitlement has not been obtained prior to the master Conditional Use Permit for the Peck Ranch Master Plan area required by Section 22.110.050.B.1, development of this site shall be included as part of that master Conditional Use Permit.
- b. **Limitation on use.** Allowable uses shall be limited to Ag Processing, Animal hospitals and veterinary medical facilities, Crop Production and Grazing, Nursery Specialties, Small Scale Manufacturing (limited to artisan / craftsman type operations), Indoor Amusement and Recreation Facilities, Automobile Service Stations and Gas Stations, Restaurants, Libraries and Museums, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, General Retail, Restaurants, Lodging and Personal Services.
- c. **Groundwater offset.** New non-agricultural uses of groundwater shall be completely offset through one or more of the means listed below prior to issuance of construction permits for any of the following new development: 1) development resulting from new land divisions, 2) development of more than 9,999 square feet of floor area for allowed Small Scale Manufacturing uses, 3) development of more than 2,499 square feet of floor area for all other uses listed in Subsection C.2.b. All criteria are cumulative for a single site. In determining the amount of groundwater to offset, recharge from on-site septic system(s) shall be taken into account.
- (1) Retrofit high-flow toilets and other plumbing fixtures within the Paso Robles Groundwater Basin with low-flow toilets and plumbing fixtures;

- (2) Participate in a county approved plumbing retrofit program for the Paso Robles Groundwater Basin;
- (3) Use the California Urban Water Conservation Council's (CUWCC) best management practices for water conservation;
- (4) Pay a "fair share" of the costs for delivering State water in excess of CSA-16's 2011 allocation of 100 acre-feet per year;
- (5) Participate in a county approved lot retirement program for the Paso Robles Groundwater Basin;
- (6) Participate in the County's Transfer of Development Credits (TDC) program pursuant to Chapter 22.24, provided eligible sending sites are located within the Paso Robles Groundwater Basin, and receiving sites shall not be eligible for a density bonus. The receiver site will receive credit for the water demand that the sending site would have otherwise used, if developed. The ground water off-set shall be determined at the same time the receiver site determination is made.
- (7) Participate in a county-approved rural water conservation program that results in reducing groundwater pumping within the Paso Robles Groundwater Basin.
- (8) Participate in a county-approved fee program that results in reducing groundwater pumping within the Paso Robles Groundwater Basin.

- d. **Project design.** Buildings and associated improvements shall be designed to be small and low-profile, with a maximum height of 28 feet above average natural grade. Architecture shall be a village and/or agricultural style that blends with the surrounding area. Structures shall connect to natural gas facilities. This standard may be waived with Conditional Use Permit approval provided propane tanks, if proposed, can be adequately screened from public view.
- e. **Signage.** Allowed signs shall be complementary to the site design and surrounding area. Signage is limited to monument signs of three feet or less in height, highway identification signs a maximum of 32 square feet in area and ten feet in height and one projecting, suspended, marquee or wall sign with a maximum area of 20 square feet, or one suspended sign with a maximum area of 10 square feet for each tenant or business.
- f. **Landscape.** In addition to the requirements of Chapter 22.16 (Landscaping) landscape materials shall be selected to break up the view of the project from Highway 46 and West Centre Street. Trees shall be selected from the Shandon Community Plan Master Tree List. Landscaping shall use permeable hardscape to the greatest extent feasible and native low water using landscape materials. Irrigated turf may be authorized by the Review Authority for active use areas only.

g. **Stream bank setbacks.** Buildings shall be setback a minimum of 100 feet from the top of the stream bank, delineated wetland and riparian habitat.

h. **Circulation.**

- (1) **Transportation impact fees.** Prior to recording a final map, issuance of construction permits or establishment of a use, transportation impact fees shall be paid per the Shandon Capital Improvement Plan (SCIP), unless, as part of the approval of a prior discretionary land use permit or land division application, the appropriate fees were paid and/or circulation facilities were constructed consistent with the SCIP or Chapter 8 of the Shandon Community Plan in order to cover the cost of the transportation impact fees for subsequent projects or land uses.

Prior to the adoption of the SCIP and an associated impact fee ordinance circulation facilities shall be constructed pursuant to Section 22.110.050.A.20.j(1), unless the Review Authority finds, based on a subsequent traffic study, that alternative circulation improvements are sufficient to mitigate the project's transportation impacts.

- (2) **Road improvements required.** West Centre Street shall be improved to Caltrans standards with new development.

i. **Drainage.**

- (1) Drainage shall be handled to maximize percolation and recharge.
- (2) Limit the development of impervious surfaces to reduce run-off volumes.
- (3) Run-off control measures shall be included in new development to minimize the discharge of urban pollutants into drainage areas.
- (4) Stormwater quality measures, such as vegetated swales, linear bio-retention cells within open channels, and permeable paving materials shall be incorporated in new development.

j. **Energy conservation.**

- (1) New development shall use energy-efficient equipment, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.
- (2) New development shall include at least four of the following energy conserving techniques:
 - (a) Install alternative energy equipment and devices such as solar thermal heating;

- (b) Integrate, where feasible, alternative energy mechanical equipment and accessories within roofing materials and/or blend them with a structure's architectural form;
 - (c) Pre-wire commercial and residential development for rooftop photovoltaic (PV) panels or other advanced technology;
 - (d) Employ passive solar design and natural daylighting techniques in the design and construction of buildings;
 - (e) Provide surfaces and windows (with “low-e” glazing), on south-facing walls, that add significant thermal mass, with proper ventilation, to control and distribute energy throughout structures;
 - (f) Use deciduous shade trees on the south, east and west sides of buildings, and low shrubbery immediately south of buildings to maximize passive solar performance; and use evergreen trees, where appropriate, to protect buildings from winter winds, provided the evergreen trees do not conflict with the purpose of the deciduous trees.
 - (g) Use energy-saving landscaping around buildings and in parking lots to reduce solar gain in summer and allow solar gain in winter;
 - (h) Use building materials, components, and systems found locally or regionally to reduce energy use, emissions and transportation costs;
 - (i) Use non-toxic building products (e.g. formaldehyde-free insulation, low Volatile Organic Compounds [VOC] paints, etc.); and
 - (j) Use lowest water-using or waterless plumbing fixtures, water saving practices, and greywater recycling systems.
- k. Solid waste disposal.** New development shall be required to subscribe to waste collection service.
- l. Cultural resources protection.** All applications for land divisions and land use permits subject to discretionary review that involve grading, trenching or other ground disturbance shall include a Phase I archaeological survey of the site performed by a qualified archaeologist approved by the Environmental Coordinator. The survey shall include sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Any further evaluations and investigations and mitigation measures shall comply with County requirements and the provisions of Appendix D of the Shandon Community Plan relating to cultural resources.

- m. Habitat conservation.** All land use permits, land divisions and other "covered activities" as defined in the Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable plan shall be developed consistent with HCP. Prior to adoption of an HCP, projects shall be consistent with the applicable mitigation measures shown in Appendix D of the Shandon Community Plan for biological resources.
- n. Environmental mitigation.** New development shall comply with the applicable mitigation measures in the Shandon Community Plan Update and San Juan Village (Fallingstar Phase I) Project Final Environmental Impact Report. Table 9.1 in the Shandon Community Plan identifies the type of development for which the mitigation measures in the Final Environmental Impact Report are required.

D. Residential Rural (RR) - Parcel size. The minimum allowable parcel size for new land divisions in the Residential Rural land use category is 10 acres unless a larger parcel size would otherwise be required by Chapter 22.22.

SECTION 4: Section 22.110.040 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended as follows:

22.110.050 - Shandon Urban Area Standards

The following standards apply within the Shandon urban reserve line to the land use categories or specific areas listed.

A. Community-wide standards. The following standards apply to all land use categories within the Shandon urban reserve line.

- 1. Environmental mitigation.** New development shall comply with the applicable mitigation measures in the Shandon Community Plan Update and San Juan Village (Fallingstar Phase I) Project Final Environmental Impact Report. Table 9.1 in the Shandon Community Plan identifies the type of development for which the mitigation measures in the Final Environmental Impact Report are required.
- 2. Building height.** The maximum building height in the Residential and Commercial land use categories shall be 28 feet. Exceptions may be granted pursuant to Subsections 22.10.090.C.2a or c.
- 3. Urban edge.** To avoid creating a sharp urban edge, development adjacent to the Urban Reserve Line shall include a landscaped area that breaks-up the view of building facades, fences and walls from public roads and nearby rural areas. The landscaped area shall include trees selected from the Shandon Community Plan Master Tree List and be consistent with the applicable mitigations for biological resources in Appendix D of the Shandon Community Plan. If adjacent to the Agriculture land use category or an agricultural use, an agricultural buffer shall be provided consistent with the Ag Buffer policy.
- 4. Stream bank setbacks.** Buildings shall be set back a minimum of 100 feet from the top of the stream bank.
- 5. Energy and water conservation.** New development shall implement the following water and energy-saving measures: Installation of low flow or dual flush toilets, low flow shower heads and water faucets and energy efficient appliances; Drip irrigation or micro-sprayers on appropriate landscaped areas; Use of devices such as soil monitors and rain shutoff devices for all automatic irrigation systems; and Use of mulch in non-turf areas, permeable hardscape to the extent feasible, soil amendments to increase soil moisture holding capacity of soil and native low water using landscaping.

In addition, new development shall include at least four of the following conservation techniques:

- a. Install alternative energy equipment and devices such as solar thermal heating.
- b. Integrate, where feasible, alternative energy mechanical equipment and accessories within roofing materials and/or blend them with a structure's architectural form.

- c. Pre-wire commercial and residential development for rooftop photovoltaic (PV) panels or other advanced technology.
 - d. Employ passive solar design and natural daylighting techniques in the design and construction of buildings.
 - e. Provide surfaces and windows (with “low-e” glazing), on south-facing walls, that add significant thermal mass, with proper ventilation, to control and distribute energy throughout structures.
 - f. Use deciduous shade trees on the south, east and west sides of buildings, and low shrubbery immediately south of buildings to maximize passive solar performance; and use evergreen trees, where appropriate, to protect buildings from winter winds, provided the evergreen trees do conflict with the purpose of the deciduous trees.
 - g. Use energy-saving landscaping around buildings and in parking lots to reduce solar gain in summer and allow solar gain in winter.
 - h. Use building materials, components, and systems found locally or regionally to reduce energy use, emissions and transportation costs.
 - i. Use non-toxic building products (e.g. formaldehyde-free insulation, low Volatile Organic Compounds [VOC] paints, etc.).
 - j. In new buildings, use the lowest water-using or waterless plumbing fixtures, implement water saving practices, and install greywater recycling systems.
6. **Domestic water supply.** Domestic (non-agricultural) water supply shall be provided by CSA-16 or successor water provider, except for the following:
- a. The land within the Agriculture land use category, as shown in Figure 110-7.
 - b. Parcels fronting on Peaceful Valley Lane, as shown in Figure 110-7, that are 2.5 acres or larger in size.

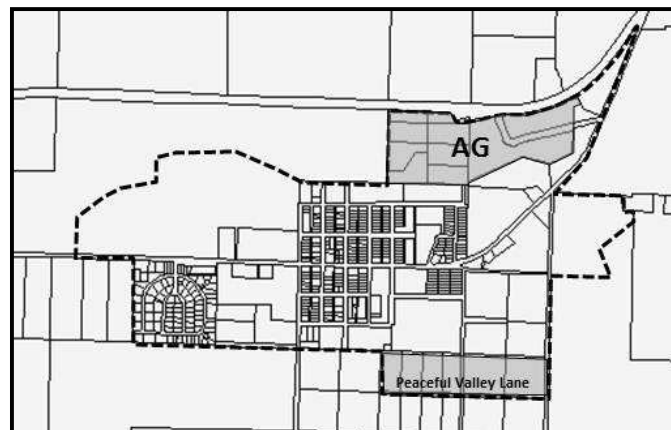


Figure 110-7 – Domestic Water Supply

- c. Development of an allowable residential use, pursuant to Table 2-2, except for mobile home parks and multi-family dwellings, on a lot legally created prior to the adoption of the Shandon Community Plan that is within a Residential land use category and outside of the CSA-16 service area.

7. Domestic water supply - requirement for new development. The standards below apply to the following new development:

- 1) development resulting from new land divisions, 2) land use permits that result in greater than four (4) dwelling units, 3) development of more than 9,999 square feet of floor area for uses listed under the industry, manufacturing and processing land use group, 4) development of more than 2,499 square feet of floor area for uses listed under all other non-residential use groups. All criteria are cumulative for a single site.
- a. The domestic (non-agricultural) water supply for new development listed above shall not be from groundwater, except as provided in subsection c.
- b. Prior to issuance of construction permits, the applicant for new development shall pay a "fair share" of the costs of the water project, pursuant to the Shandon Community Plan Natural Resources Implementation Program NRIP-4, that delivers State water to Shandon in excess of CSA-16's 2012 allocation of 100 acre-feet per year. The "fair share" is to be determined by CSA-16 or successor water provider based on the project's net new water demand. The project's contribution to recharge from the wastewater treatment facility shall be taken into account in determining net new water demand¹.
- c. In the event the Board of Supervisors determines, after completion of the necessary background studies, that the delivery of additional State water to Shandon is not adequate or viable for new development, and the Board of Supervisors has determined that the Paso Robles Groundwater Basin is no longer in Level of Severity III, the applicant shall participate in one or both of the following:
 - (1) A water conservation program approved by the Board of Supervisors that results in reducing groundwater pumping within the Paso Robles Groundwater Basin, or
 - (2) A fee program approved by the Board of Supervisors that results in reducing groundwater pumping within the Paso Robles Groundwater Basin.

1) "Net new water demand" is the amount of non-agricultural water to be used by new development minus the volume of water returned to the groundwater basin through wastewater return flows. The calculation of net new water demand is the sole responsibility of the Planning Director using water demand factors for the proposed land uses.

8. **Water conservation.** New development shall limit the irrigated landscape area as follows:
- a. The irrigated landscape area for a single family dwelling shall be limited to a maximum of 15 percent of the lot area or 1,500 square feet, whichever is less. Turf area shall be limited to 20 percent of the irrigated landscape area. Example: a 6,000 square foot lot may have up to 900 square feet of irrigated landscape. Of that 900 square feet, up to 180 square feet may be turf.
 - b. The irrigated landscape area for a multi-family project shall be limited to a maximum of 6,000 square feet per acre. Irrigated turf is limited to common active use areas only and may not exceed 20 percent of the irrigated landscape area.
 - c. All other uses shall be landscaped in compliance with Chapter 22.16 - Landscaping Standards. Irrigated turf may be authorized by the Review Authority for active use areas only.
9. **Public facilities and capital improvements.** Prior to recording a final map, issuance of construction permits or establishment of a use, public facility fees shall be paid per the Shandon Capital Improvement Plan (SCIP), unless, as part of the approval of a prior discretionary land use permit or land division application, the appropriate public facility fees were paid and/or public facilities were constructed consistent with the SCIP or Chapter 8 of the Shandon Community Plan in order to cover the cost of the public facility fees for subsequent projects or land uses.
- Prior to the adoption of the SCIP and adoption of an associated fee ordinance, land division applications of five or more parcels, or projects located on lots that were legally created prior to the adoption of the Shandon Community Plan where the intensity of the proposed development is such that wastewater disposal cannot be accommodated with an on-site septic system, public facilities shall be constructed pursuant to Subsection A.20.j. This standard does not apply to Master Plan Areas, which are otherwise subject to Section 22.110.050.B.
10. **Street improvements required.** Sidewalks, curbs, gutters, street pavement, and street trees (consistent with the Shandon Community Plan Master Tree List, Appendix C of the Shandon Community Plan), are required in all land use categories, except in the Agriculture land use category. Street improvements, including sidewalk locations and parkway widths, shall be consistent with the Shandon Community Plan Street Sections. As necessary, additional right-of-way may be needed to be dedicated to accommodate the improvements. Alternative storm water conveyance methods require County Department of Public Works approval.
11. **Sewage disposal.** All new development shall connect to a community sewer system, except that new development on lots that were legally created prior to the adoption of the Shandon Community Plan that meet the minimum site area requirements of Section 22.10.110 are not required to connect to a community sewer system until such time the following criteria are met:

- a. The wastewater treatment plant is built with capacity to handle existing properties; and
 - b. Sewer mains and/or collectors are installed within the existing neighborhood right-of-way; and
 - c. The subject property is within 200 feet of a sewer main or collector; and
 - d. The septic system on the subject property fails or the property owner obtains a building permit for a project that includes features that would increase potential wastewater generation (eg., adding a bathroom or bedroom); or
 - e. The State Regional Water Quality Control Board (or under the authority of another state or federal agency) mandates connection to the sewer.
12. **Master tree list.** When required, all street trees, and trees within commercial landscapes shall be selected from the Shandon Master Tree List, Appendix C of the Shandon Community Plan. When located within the public right-of-way, the street tree type and location shall also be approved by the County Department of Public Works.
13. **Drainage.** The following standards apply to all discretionary land use permits and land divisions:
- a. Drainage shall be handled to maximize percolation and recharge.
 - b. Limit the amount of impervious surfaces to reduce runoff volumes.
 - c. Runoff control measures shall be included in new development to minimize the discharge of urban pollutants into drainage areas.
 - d. Stormwater quality measures, such as vegetated swales, linear bio-retention cells within open channels, and permeable paving materials shall be incorporated in new development.
14. **Habitat conservation.** All land use permits, land divisions and other "covered activities" as defined in the Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable plan shall be developed consistent with HCP. Prior to adoption of an HCP, projects shall be consistent with the applicable mitigation measures shown in Appendix D of the Shandon Community Plan for biological resources.
15. **Solid waste disposal.** New discretionary development shall be required to subscribe to waste collection and recycling service.
16. **Cultural resources protection.** New development shall protect cultural resources as follows:
- a. All applications for land divisions and land use permits subject to discretionary review that involve grading, trenching or other ground disturbance shall include a Phase I archaeological survey of the site performed by a qualified archaeologist approved by the Environmental Coordinator. The survey shall include sufficient

background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Any further evaluations and investigations and mitigation measures shall comply with County requirements and the provisions of Appendix D of the Shandon Community Plan relating to cultural resources.

- b. All applications for land divisions and discretionary land use permits that involve the demolition or alterations of buildings or structures greater than 50 years old shall include documentation and evaluation of the historical significance of the those buildings or structures. The documentation and evaluation shall be performed by a qualified historian or architectural historian approved by the Environmental Coordinator. If such evaluation concludes that the buildings or structures are significant historical resources, then the qualified historian or architectural historian shall recommend measures to reduce impacts on historical resources, such as archival quality photographs, measured drawings, oral histories, and interpretive signs. Such measures shall be included in the project design, as applicable.

17. Natural gas. New development shall connect to natural gas facilities as follows:

- a. All subdivisions shall install gas lines consistent with Title 21 of the County Code.
- b. New single family residences or secondary dwellings on individual lots shall connect to natural gas where gas lines exist in the fronting right-of-way or where the property is adjacent to a gas line easement.
- c. Multi-family or commercial uses shall connect to natural gas facilities.

18. On-street diagonal parking. On-street diagonal parking within public rights-of-way may be approved with Conditional Use Permit approval where adequate right-of-way is provided, and the Review Authority finds that there is adequate parking within a reasonable distance to the project for longer vehicles that cannot use diagonal parking.

19. Public improvements. Public improvements shall be installed or bonded for prior to recording final maps or final inspection. If necessary, the subject property shall be annexed into CSA-16.

20. Land divisions. The following standards apply to new land divisions:

- a. **Conditional Use Permit required.** Applications for land divisions shall require concurrent Conditional Use Permit approval.
- b. **Block length.** Blocks lengths shall promote through circulation that accommodates vehicles, pedestrians, and bicycles consistent with Chapter 5 of the Shandon Community Plan. Residential blocks developed with single family lots or other small lot development shall be no longer than 400 feet. Block lengths in the Commercial Retail land use category shall be determined by the Review Authority based on the proposed uses, size of building and parking requirements (pedestrian connection are required pursuant to Section

22.110.050.C.3.a). Where traditional downtown commercial blocks are proposed, shorter block lengths between 250 feet and 350 feet are encouraged. The Review Authority may approve longer blocks for large lot development or where site conditions (such as adjacency to a creek) do not necessitate though circulation.

- c. **Cul-de-sacs.** Through-streets are preferred over cul-de-sacs, which should be limited. Where cul-de-sacs are proposed and they are adjacent to a park, other legally accessible open space, or a collector or arterial street, they shall be opened to allow visible and convenient pedestrian and bike circulation (see Figure 110-8).

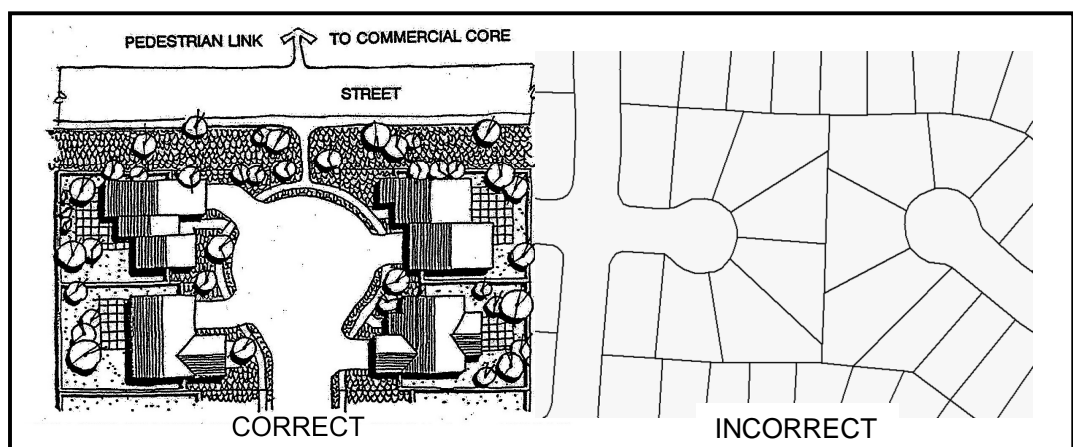


Figure 110-8 - Cul-de-sacs

- d. **Common areas.** When common areas are proposed or required, applicants shall establish mechanisms for guaranteed long-term management and maintenance of the common areas.
- e. **Notice to future tenants.** Applicants shall give notice to future owners and tenants of any conditions of approval or requirements associated with the project that are applicable to their particular lot or common areas within the subdivision.
- f. **Water system.** Each development shall have at least two points of connection to the community water system, as determined appropriate by the County Public Works Department.
- g. **Wastewater system.** New development shall install "backbone" wastewater pipelines, consistent with the approved Shandon Capital Improvement Plan (SCIP) or, prior to the adoption of the SCIP, Chapters 7 and 8 of the Shandon Community Plan, to meet upstream full-buildout demand, as determined appropriate by the County Public Works Department.
- h. **Drainage.** Applications for new land divisions shall include an assessment of a project's potential impacts on the local and sub-regional storm drainage systems so that the County can determine appropriate measures to ensure that system

capacity and peak flow restrictions are not exceeded, as determined appropriate by the County Public Works Department.

- i. **Public facilities and capital improvements.** New land divisions shall require the development of the applicable public facilities identified in the Shandon Capital Improvement Plan (SCIP). Public improvements shall be installed or bonded for prior to recordation of final maps and, if necessary, a reimbursement agreement shall be made with the County, consistent with Ordinance 3129. The following standard applies prior to adoption of the SCIP.
- j. Prior to the adoption of the Shandon Capital Improvement Plan (SCIP), the first land division resulting in five or more parcels shall be responsible for constructing the following public facilities (if not previously constructed by a separate entity).
 - (1) The circulation improvements listed as items A-1, A-7, and A-12 in Table 8.3.a of the Shandon Community Plan.
 - (2) The following water system improvements listed in Table 8.3b of the Shandon Community Plan, as determined to be appropriate by County Public Works: items B-1 through B-6 if the land division is located east of San Juan Creek, or items B-1 through B-5 and items B-7 through B-10, if the land division is located west of San Juan Creek. Water system improvements shall be consistent with the CSA-16 Water Master Plan. If the CSA-16 Water Master Plan has not been updated subsequent to the adoption of the Shandon Community Plan, then the water system improvements shall provide the following:
 - (i) Project-specific evaluations of velocities and pressure throughout the system at various demand scenarios, and
 - (ii) Project-specific hydraulic modeling and fire flow analyses to evaluate impacts to operating pressures and fire flow availability in the existing and proposed water system and determine what, if any, additional water system upgrades may be required for the project, and
 - (iii) Design criteria and standards for various components of the water system, including pipe sizing, well capacities, fire flow requirements, pipe velocities and pressures.
 - (3) The following wastewater system improvements listed in Table 8.3.c of the Shandon Community Plan, as determined to be appropriate by County Public Works: items C-1 through C-12, if the land division is located east of San Juan Creek, or items C-1 through C-4, and items C-13 and C-14, if the land division is located west of San Juan Creek.

These improvements shall be consistent with Chapters 7 and 8, and Appendices B and E of the Shandon Community Plan. Public improvements shall be installed or bonded for prior to recording final maps. If necessary, the applicant

shall enter into a reimbursement agreement, consistent with County Ordinance 3129, and the subject property shall be annexed into CSA-16 and receive a Conditional Will-Serve Letter from CSA-16.

- k. **Street lights.** Street lights shall be included with all new land divisions. They shall be designed and installed to limit light pollution, consistent with best practices endorsed by the International Dark Sky Association, and be low-energy-using fixtures, such as LED. If necessary, the subdivision shall be annexed into CSA-16 or another established special district.

B. **Master Plan Areas.** The following standards apply to Master Plan Areas as shown in Figure 110-9.

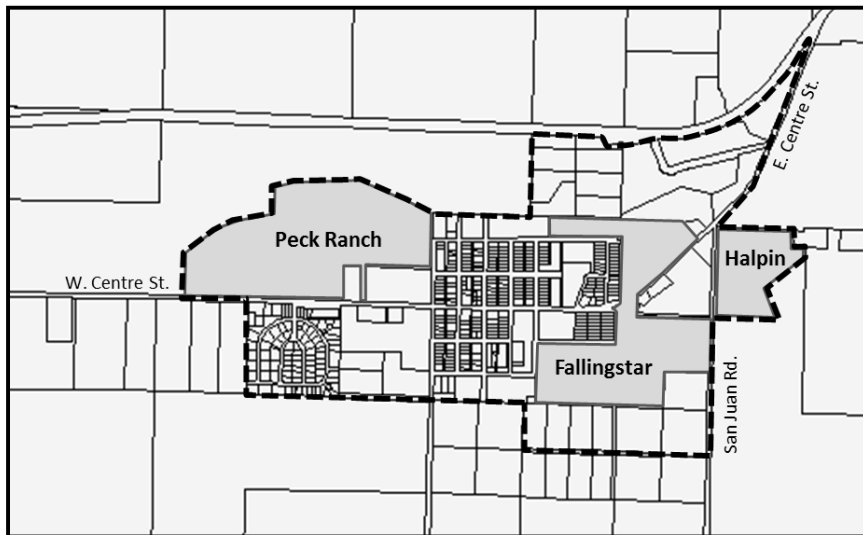


Figure 110-9 - Master Plan Areas

1. **Permit requirement.** Conditional Use Permit approval is required prior to any new development in any of the Master Plan Areas shown in Figure 110-9, unless the property owner elects to prepare a Specific Plan, consistent Government Code Sections 65450 and 65457. The Conditional Use Permit or Specific Plan shall address, at a minimum, the following:
 - a. Specify permit requirements for subsequent development.
 - b. If not previously constructed by a separate entity, require the construction of the circulation improvements listed in Subsection A.20.j(1).
 - c. If not previously constructed by a separate entity, as determined appropriate by the Public Works Department, require the construction of the water system improvements and wastewater system improvements listed in Subsections A.20.j (2) and (3).
 - d. Pursuant to the Shandon Capital Improvement Plan (SCIP) or Chapter 8 of the Shandon Community Plan if the SCIP is not adopted, Public Facility reimbursement payments shall be determined, if the project's "associated costs"

for each improvement type (circulation, water, wastewater and drainage (based on the SCIP or Table 8.4 of the Shandon Community Plan) exceed the total costs for each improvement type the applicant is obligated to construct as required by Subsections b and c above. Example: Project A is conditioned or "obligated" to construct circulation items totaling \$1.2 million but the project's total "associated" (fair share) costs for all of the circulation items is \$2.0 million, then Project A would be responsible to pay \$800,000 in reimbursement. If an applicant's "obligated costs" exceed the "associated costs," the applicant shall enter into a reimbursement agreement, consistent with County Ordinance 3129.

- e. Address the requirements of Section 3.2.1 of the Shandon Community Plan.
- f. Provide for appropriately-sized parks, pursuant to Section 6.2 of the Shandon Community Plan.

2. **Master Plan Area consistency requirements.** Development within each Master Plan Area shall be consistent with the land use plans shown in Figures 3.3 or 3.4, and corresponding Tables 3.5, 3.6 or 3.7 of the Shandon Community Plan. In addition, development shall follow the Master Plan Objectives, Master Plan Sustainability Principles, and the Master Plan Design Principles found in Section 3.2.2, 3.2.3 and 3.3 of the Shandon Community Plan. Public facility improvements shall be consistent with Shandon Capital Improvement Plan (SCIP), or if a SCIP has not been adopted, Chapters 7 and 8 and Appendices B and E of the Shandon Community Plan.

3. **Land use category changes.** A General Plan amendment shall be processed concurrently with the processing of the first discretionary entitlements for the Halpin and Peck Ranch Master Plans. The General Plan Amendment shall include the necessary land use category changes from Agriculture to urban land use categories, consistent with Figure 3.1 of the Shandon Community Plan and changes to the Central Business District boundary consistent with the vision for the Centre Street Commercial Corridor described in Section 3.1.2 of the Shandon Community Plan.

C. **Commercial Retail (CR) and Commercial Service (CS).** The following standards apply to both the Commercial Retail and Commercial Service land use categories. They are intended to help implement the commercial design policies of the Shandon Community Plan and create a welcoming and aesthetically pleasing built environment that is well-connected to surrounding neighborhoods, providing easy accessibility by both vehicles and pedestrians.

- 1. **Permit requirement.** Minor Use Permit approval is required, unless a Conditional Use Permit is otherwise required by the Land Use Ordinance.
- 2. **Design policies and guidelines.** Development shall be consistent with the Commercial Land Use and Neighborhood Design Policies in Chapter 3 of the Shandon Community Plan. The Commercial Design Guidelines found in Section 9.6 of the Shandon Community Plan shall be used in project design. Guidelines are not to be applied as individual standards but rather as a list of options for design techniques or project features.
- 3. **Site design and architecture.** New development shall comply with the following design standards.

- a. Site design, building orientation and placement shall carefully integrate pedestrian connections to any adjoining residential neighborhoods in ways that maximize ease of access and ensure the safety and security of both commercial and residential uses.
 - b. For sites adjacent to land in the Agriculture land use category, buildings shall be located, designed, and oriented to protect agricultural resources.
 - c. Pedestrian furniture, landscaping (including trees) and other "streetscape" amenities located within the public right-of-way shall require an encroachment permit issued by the County Department of Public Works. The permit will identify maintenance and liability responsibilities of the adjacent property owners.
 - d. Parking shall be designed for safe ingress and egress to commercial centers. Pedestrian connections and linkages shall have a well-defined separation from vehicle circulation. A landscape buffer with a minimum width of five feet shall be provided between parking lots and pedestrian rights-of-way.
 - e. Parking lots on sites that have at least two driveways that serve buildings that are greater than 100 feet from street parking shall include at least two on-site spaces that accommodate long vehicles. These may be tandem spaces that allow for a vehicle to "pull-through" the parking spaces. This standard may be waived or modified with Minor Use Permit approval.
 - f. Loading, delivery and service areas shall be located at the rear or side of the site rather than the front. This does not include areas for short-term deliveries made by standard-sized vehicles or delivery vans. Loading, delivery and service areas shall be separate and screened from public areas, or where adjacent to a residential use or Residential land use category, by the use of decorative walls and landscape features.
 - g. Trash enclosures shall be screened from view with a combination of landscaping and solid walls.
4. **Lighting.** Exterior lighting shall kept to the minimum as needed for safety and security to illuminate building entrances, parking and loading areas, and pedestrian walkways. The style of the fixtures shall be consistent with the overall project architectural concept and harmonious with the building design. Lighting shall be oriented away from sensitive uses, hooded or shielded, located to direct light pools downward and prevent glare, and consistent with best practices endorsed by the International Dark Sky Association. An exterior lighting plan shall be submitted with all discretionary projects and prepared by a qualified professional who is a current member of the Illuminating Engineering Society of North America.
5. **Commercial traffic.** If development of a non-residential project results in the community exceeding the maximum communitywide floor area for the applicable non-residential land use as shown in Table 3.1 of the Shandon Community Plan, an additional traffic study shall be submitted with the required land use permit application.

D. Commercial Retail (CR). The following standards apply only within the Commercial Retail land use category.

1. Site design and architecture. In addition to Subsection C.3, new development in the CR land use category shall be consistent with the following site design and architecture standards:

- a. Significant buildings with prominent architectural features shall be located near corners and intersections whenever possible.
- b. At least 75 percent of the ground floor length of street-fronting buildings shall include architectural elements or details such as recessed windows and entries, display windows, offset surfaces, differentiated piers and columns, offset planes, textured materials, awnings, and compatible landscaping, or other details which are of interest to pedestrians.
- c. For the areas shown in Figure 110-10 that are within the Central Business District, fronting on East Centre Street between San Juan Creek and San Juan Road, or on the portions of the Peck Ranch Master Plan Area not fronting on West Centre Street, orient building entrances toward the street. Front setback shall be from zero to five feet, except that greater setbacks may be authorized by the Review Authority to accommodate pedestrian plazas, patios, courtyards or other entry features of interest. Where site area allows, additional buildings may be located to the rear of a site. On-site parking shall be located behind the front buildings. On sites where additional buildings are located on the rear of a site, parking may be located in front of those buildings.

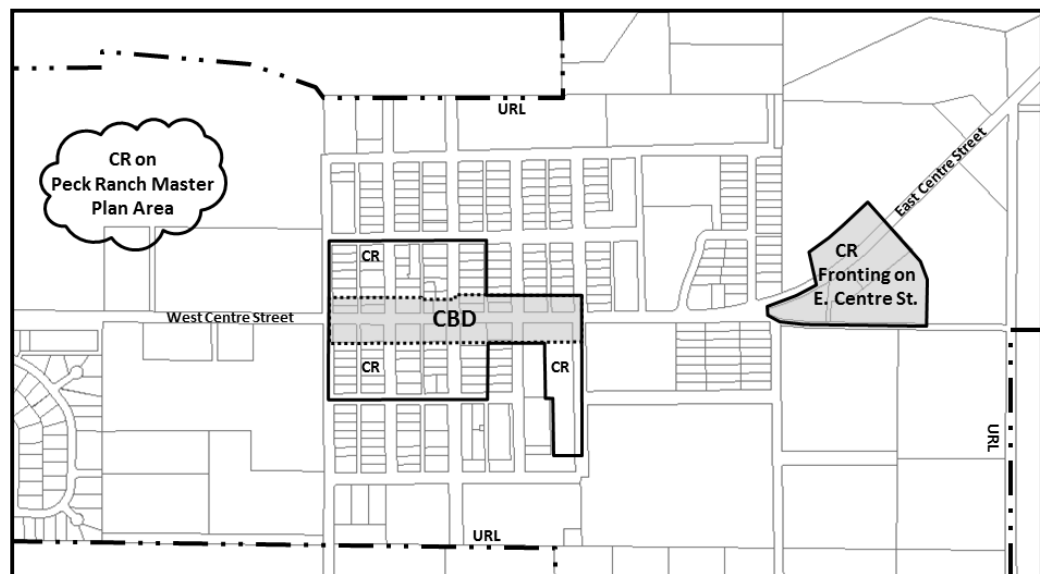


Figure 110-10 - CR - Areas with building location requirements

- d. **Parking lots.** Parking lots shall consist of small bays with 24 or fewer spaces and include walkways and landscaping between the parking bays.

- e. **Downtown parking.** Within the Central Business District (CBD), on-street parking fronting the subject site may be counted toward the required number of on-site parking spaces. The Review Authority may approve a greater reduction in the number of required parking spaces, based on the findings found in Section 22.18.020.H, because the characteristics of the immediate vicinity (the CBD) is compact, pedestrian oriented, and multiple businesses may be visited in one stop by using the same parking space.
 - f. **Parking lot access.** Access to parking lots in the CBD shall be from either a side street or an existing alley (but not Centre Street), except for the following locations:
 - (1) On the south side of Centre Street between Third and Fourth Streets, a new mid-block alley may be created for access, provided that it is shared by both parcels on that block.
 - (2) On the south side of Centre Street between Fourth and Fifth Streets, if access from Fifth Street is not feasible due to required creek setbacks, a second access point onto Centre Street is allowable.
2. **Limitation on use.** Residential uses are not allowed on properties in the Commercial Retail land use category, except for the mixed-use areas as shown in Figure 110-11 and described in the standards in Subsection D.3.
 3. **Mixed Use Standards.** The following standards apply only in the Commercial Retail land use category in the areas intended for mixed-use development as shown in Figure 110-11, and to the specific mixed-use development areas described in the following subsections, as applicable.

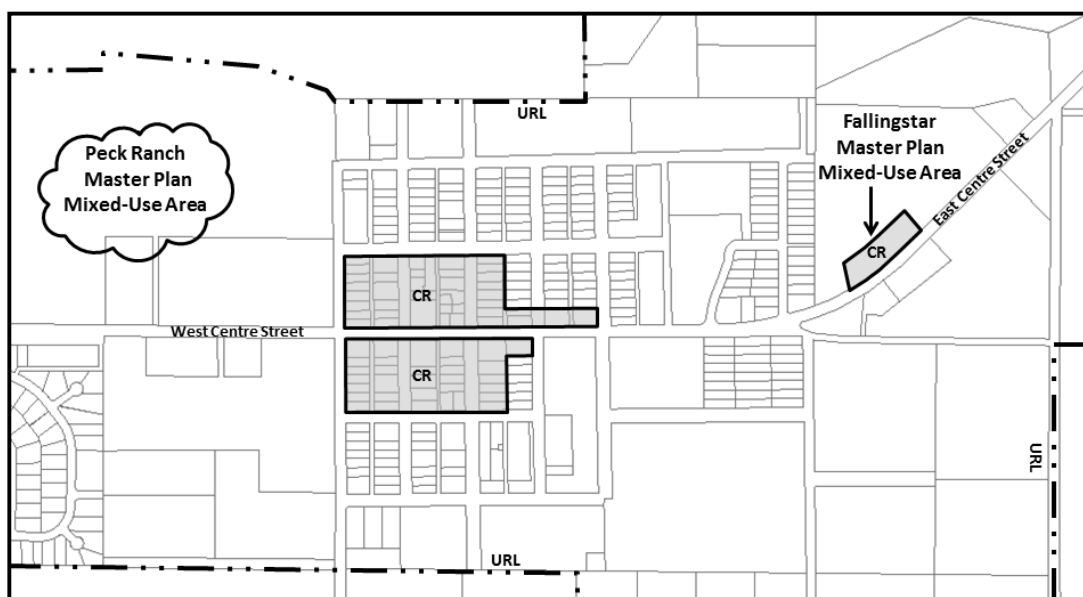


Figure 110-11 - CR - Mixed Use

- a. In the Peck Ranch Master Plan Area, mixed-use development is limited to the Commercial Retail area that is located north of the community park and fire station and is not allowed on the Commercial Retail area fronting on Centre Street. The maximum total number of residential units in the Peck Ranch Master Plan area shall be 40 units, and the maximum total acreage of mixed use development shall be limited to four acres.
- b. In the Fallingstar Master Plan Area, mixed-use development is limited to the Commercial Retail area that is located north of Centre Street. The maximum total number of residential units in the Fallingstar Master Plan Area shall be 21 units, and the maximum total acreage of mixed-use development shall be limited to 2.2 acres.
- c. New development shall consist of a combination of a primary non-residential use and a secondary residential use with an equal or lesser floor area, except for properties that front only on First, Second, Third, Camatti, or Cholame Streets (as shown in Figure 110-12), where the commercial portion of the development may have less floor area than the residential use, as determined appropriate by the Review Authority.

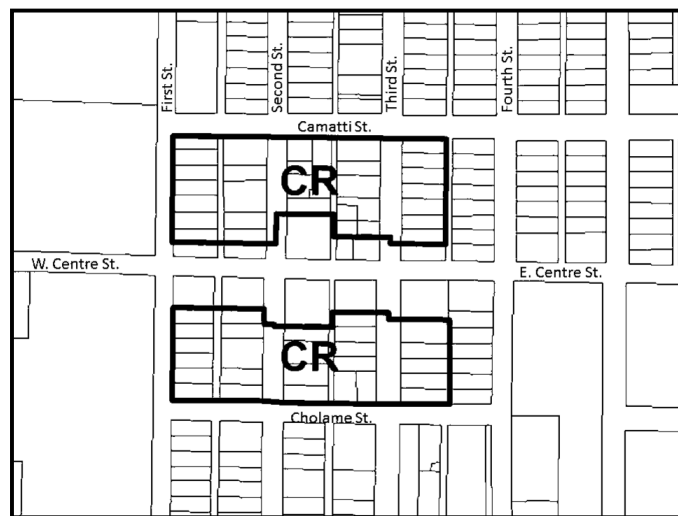


Figure 110-12 - CR - Fronting properties

- d. Residential uses existing prior to adoption of the Shandon Community Plan and located on properties that front only on First, Second, Third, Camatti or Cholame Streets (as shown in Figure 110-12), may continue and be expanded or remodeled as a primary use without the limitations imposed by Section 22.72.050 - Nonconforming Uses of Land and without being required to include commercial development.
- e. **Minimum site area and residential density.** The minimum site area for mixed-use development is 3,500 square feet. The maximum residential density is 10 units per gross acre, calculated using the acreage of the entire site, except for properties that front only on First, Second, Third, Camatti or Cholame Streets (as shown in Figure 110-12). For properties that front only on First, Second, Third, Camatti or Cholame Streets, the maximum number of dwelling units is

one primary dwelling, and, on lots equal to or greater than 6,000 square feet, one additional dwelling that meets the standards of Section 22.30.470 - Residential - Secondary Dwellings.

f. **Floor area and open area.** The maximum floor area and minimum open area requirements in Section 22.10.130.B.2 shall not apply. Instead, the land use permit shall require an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project.

g. **Location of residential development.** For properties fronting on Centre Street, between First and Fifth Streets, residential development shall be located only on the upper floor above the primary non-residential use of the site.

4. **The southeast corner of Fourth Street and East Centre Street.** At the time of the adoption of the Shandon Community Plan, this site was located in both the Commercial Retail and Residential Single Family land use categories. Prior to the first new development on this site, Conditional Use Permit approval is required to determine the precise location of the land use category boundary, pursuant to Section 22.02.020.D.4.

E. **Commercial Service (CS) - Business Park Sites.** The following standards apply to the business park sites described in Chapter 3 of the Shandon Community Plan and shown in Figure 110-13.



Figure 110-13 - CS - Business Park Sites

1. **Limitation on use.** Land uses shall be limited to the those in the following use groups: Industry, Manufacturing and Processing, excluding concrete, gypsum and plaster products, recycling - scrap and dismantling yards, and stone and cut stone products; Recreation, Education & Public Assembly, excluding outdoor sports and recreation facilities and sports assembly; Services (includes offices); Retail Trade-limited to uses that are in support of the business park; and Agriculture, Resource, and Open Space-limited to agricultural processing and nursery specialties only.

2. **Setbacks.** The minimum setback shall be 15 feet along Centre Street and San Juan Road in order to help create a tree-lined streetscape and gateway into Shandon.

F. Commercial Service (CS) - East Centre Street and Highway 46. The following standards apply to the property located at the intersection of East Centre Street and Highway 46 as shown in Figure 110-14.

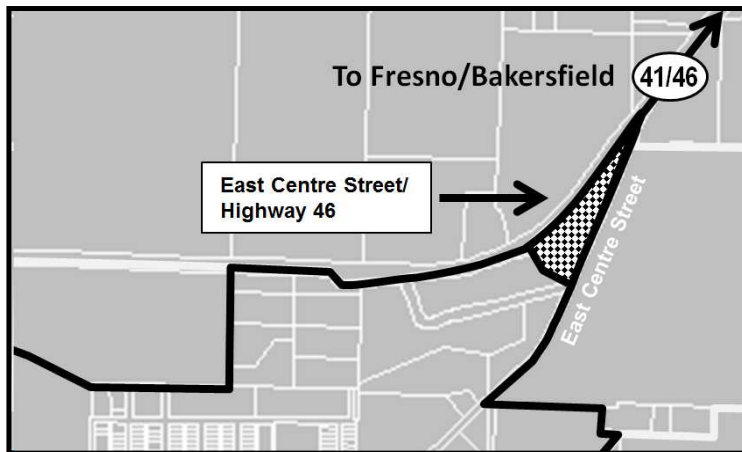


Figure 110-14 - CS - East Centre/Highway 46

1. **Limitation on use.** Allowable uses shall be limited to Ag Processing, Animal hospitals and veterinary medical facilities, crop production and grazing, nursery specialties, Small Scale Manufacturing (limited to artisan and craftsman-type operations), Indoor Amusement and Recreation Facilities, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, Automobile Service Stations/Gas Stations, General Retail, Restaurants, and Lodging, and Personal Services.
2. **Project design.** Buildings and associated improvements shall be designed to be small and low-profile, with a maximum height of 28 feet above average natural grade. Architecture shall be a village and/or agricultural style that blends with the surrounding area. Structures shall connect to natural gas facilities. This standard may be waived with Conditional Use Permit approval provided propane tanks, if proposed, can be adequately screened from public view.
3. **Signage.** Allowed signs shall be complementary to the site design and surrounding area. Signage is limited to monument signs of three feet or less in height, highway identification signs a maximum of 32 square feet in area and ten feet in height and one projecting, suspended, marquee or wall sign with a maximum area of 20 square feet, or one suspended sign with a maximum area of 10 square feet for each tenant or business.
4. **Landscape.** In addition to the requirements of Chapter 22.16 (Landscaping) landscape materials shall be selected to break up the view of the project from Highway 46 and West Centre Street. Trees shall be selected from the Shandon Community Plan Master Tree List. Landscaping shall use permeable hardscape to the greatest extent feasible and native low water using landscape materials. Irrigated turf may be authorized by the Review Authority for active use areas only.

G. Recreation (REC) - Limitation on use. Within the Recreation land use category, uses are limited to: Crop Production and Grazing, Recycling - Collection Stations, Libraries and Museums, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, Sports Assembly, Temporary Events, and Outdoor Retail Sales. Areas adjacent to Crawford W. Clarke Memorial Park are limited to the expansion of the community park.

H. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. Limitation on use. All land uses identified by Section 22.06.030 as allowable, permitted or conditional uses within the RMF land use category may be authorized in compliance with the land use permit requirements of that Section, except for Warehousing (mini-storage facilities) as a primary use.

2. Density requirements and total number of units. The minimum density shall be 13 units per gross acre. The minimum density may be reduced by the Review Authority where lots are physically or environmentally constrained. The maximum density shall be 20 units per gross acre, not including affordable housing bonuses, provided that the cumulative total number of dwelling units within each Master Plan Area shown in Figure 110-9 does not exceed the unit totals specified in its respective land use table, Table 3.5 or 3.7 in the Shandon Community Plan. The cumulative number of units within the Shandon URL shall not exceed the total specified in Table 3.1 in the Shandon Community Plan.

3. Site development. Project site plans shall provide for connectivity to adjacent neighborhoods and commercial areas.

4. Development with individual yards. The following standards apply to multi-family projects that propose individual private yards rather than a usable common area.

a. Usable private yards. Usable common area is not required for development that includes usable private yards (for example, duplexes, half-plexes, row houses, or detached units), provided that the minimum open area of Section 22.10.130.B.2 is met, and the Review Authority finds that each unit will have an adequate amount of usable private space that is appropriate for a small-lot, single family residence. If multiple units are under single ownership, front yards and other shared spaces, such as parking or trash collection areas, shall be maintained collectively by the property owner.

b. Setback requirements. Minimum front yard setbacks shall be as follows:

- (1) 15 feet for the habitable portion of the residence;
- (2) 10 feet for covered porches or detached entry features, such as an arbor or pergola;
- (3) Garages shall be set back 10 feet further than the front of the habitable portion of the residence. Garage access from an alley or internal drive is preferred to access from the fronting street.

5. **Large-lot developments.** The following standards apply to multi-family projects that provide usable common areas rather than usable private yards. This may include all forms of multi-family projects (apartments, row houses, patio homes, duplexes or detached units). Projects may be under single ownership or condominiums.
- a. **Open area.** The minimum open area required by Section 22.10.130.B.2 shall include usable common open areas, not including front yard setbacks and private open areas, with a minimum of 200 square feet per unit.
 - b. **Private open area.** Each unit shall include a private open area with a minimum of 225 square feet of usable outdoor space having minimum dimensions of 10 feet. Upper story units with no ground floor shall have a minimum of 60 square feet of private area having a minimum dimension of six feet.
 - c. **Parking location.** Parking areas shall not be located in the front of the lot between the street and the buildings.
 - d. **Setback requirements.** Minimum front yard setbacks shall be as follows:
 - (1) 15 feet for the habitable portion of the residence;
 - (2) 10 feet for covered porches or detached entry feature, such as an arbor or pergola.
 - e. **Common area maintenance.** Where common areas are proposed or required, the applicant shall establish mechanisms for guaranteed long-term management and maintenance of common areas.

I. Residential Single Family (RSF). The following standards apply within the Residential Single Family land use category

- 1. **Density limitation and total number of units.** The maximum density on sites with areas of five or more acres shall be limited to 12 units per gross acre in portions of the site, provided that the overall density shall not exceed 4.3 units per gross acre. The cumulative total number of dwelling units within each Master Plan Area shown in Figure 110-9 shall not exceed the unit totals specified in its respective land use table, Table 3.5, 3.6 or 3.7 in the Shandon Community Plan. The cumulative number of units within the Shandon URL shall not exceed the total specified in Table 3.1 in the Shandon Community Plan.
- 2. **Setback requirements.** Minimum front yard setbacks shall be as follows:
 - a. 15 feet for the habitable portion of the residence;
 - b. 10 feet for covered porches or detached entry feature, such as an arbor or pergola;

- c. Garages shall be setback 10 feet further back than the front of the habitable portion of the residence. Garage access from an alley or internal drive is preferred to access from the fronting street.
- 3. **Minimum parcel size.** The minimum parcel size for new land divisions shall be 4,500 square feet. Parcel sizes may be reduced through approval of a Specific Plan, Conditional Use Permit for a Master Plan, cluster division, condominium, Planned Development or similar residential unit ownership project in accordance with Section 22.22.080.
- 4. **Fourth Street south of East Centre Street - lot dimensions.** This standard applies to the RSF-portion of the property located on the east side of Fourth Street between Centre and Cholame Streets, as shown in Figure 110-15. Lot widths shall have dimensions that are similar to the lots on the west side of Fourth Street. Because there are two land use categories on this property, the precise location of the Residential Single Family land use category shall be determined through Conditional Use Permit approval pursuant to Section 22.02.020.D.4. This will also establish the depth of the residential lots.

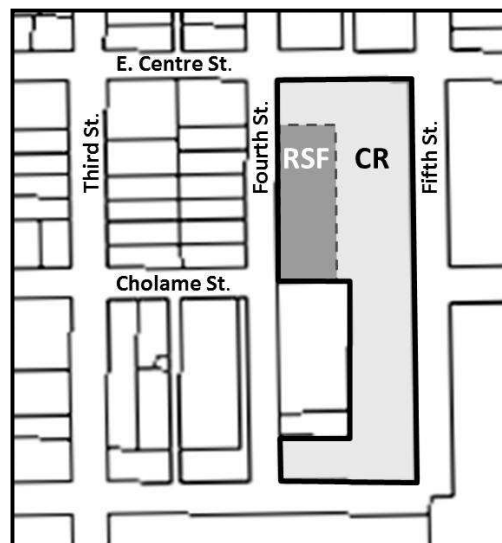


Figure 110-15 - RSF - Fourth Street

- 5. **Peaceful Valley Lane – land divisions.** For properties shown in Figure 110-16, the maximum density for land divisions is six lots per five acres (gross). Proposed lots on the northerly portion of the site shall have a minimum parcel size of 6,000 square feet, be clustered on the northerly portion of the site and use community water and sewer. On the southerly portion of the site, the minimum parcel size is 2.5 acres, and may use an on-site septic system, and community water or an on-site well. Figure 110-17 shows examples of lot layouts.

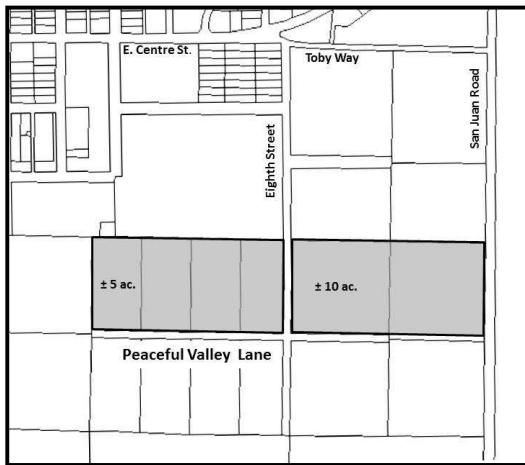


Figure 110-16 - RSF - Peaceful Valley Lane

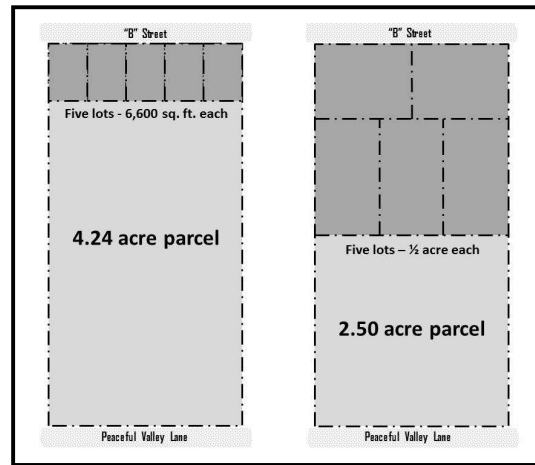


Figure 110-17 – RSF – Lot Layout Examples

J. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

1. **Cholame Creek area - cluster requirement.** For property located north of East Centre Street, as shown in Figure 110-18, land divisions shall be clustered in compliance with Section 22.22.140, unless through a standard land division, building sites can be located a minimum of 100 feet from the top of the stream bank.

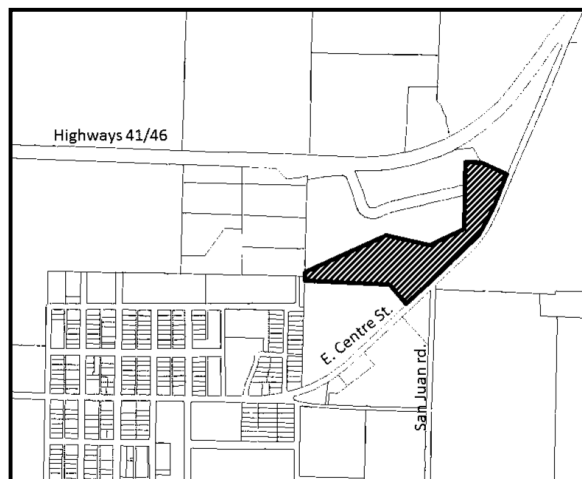


Figure 110-18 - RS - Cholame Creek Area

SECTION 5. The Board of Supervisors hereby certifies that the FEIR has been prepared and completed in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. and the Board of Supervisors reviewed and considered the information contained in the FEIR prior to approving the amendments and that the FEIR reflects the lead agency's independent judgment and analysis. Further, the Board of Supervisors hereby adopts the recommended findings of the County Environmental Coordinator which are attached hereto and incorporated herein as though fully set forth.

SECTION 6. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20_____, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairman of the Board of Supervisors,
County of San Luis Obispo,
State of California

ATTEST:

County Clerk and Ex-Officio Clerk
of the Board of Supervisors
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED
AS TO FORM AND CODIFICATION:

WARREN R. JENSEN
County Counsel

By:
Deputy County Counsel

Dated: